

GEORGE PETTIBONE IS ACQUITTED AND MOYER DISCHARGED

Jury After Being Out All Night Brings in Verdict of Not Guilty for Defendant, of Complicity in Assassination of Former Governor Steunenberg of Idaho.

MORE COMPLETE VINDICATION THAN
THAT OF FIRST TRIAL, SAYS HAYWOOD

Case Against President Moyer Is Dismissed on Motion of Hawley and There Is Nothing to Do but Try Orchard and Simpkins; Latter a Fugitive; Pettibone Will Go to Coast for Recuperation.

BOISE, Idaho, January 4.—The end of the prosecution of the men charged with the murder of ex-Governor Frank Steunenberg, except the cases of Harry Orchard and Jack Simpkins, came today with the acquittal of George A. Pettibone.

Charles H. Moyer, president of the Western Federation, was formally released this afternoon and will return with Pettibone in a few days to Denver.

The case of Orchard is in the hands of Prosecuting Attorney Van Deyn of Canyon county. No statement of further procedure in the case has been made, but it will be called during the next session of the court at Caldwell, when it will probably be finally disposed of.

Simpkins, a member of the executive board of the Western Federation, who is charged with complicity in the crime, is a fugitive from justice and the charge against him will stand.

When the Moyer case was called this afternoon, James H. Hawley, representing Van Deyn, signified his desire to have the order of dismissal entered. At the request of the state, the case against Dr. Magee and C. W. Allen, charged with perjury, by reason of testimony given by them in the Haywood case, was also dismissed.

Although the Pettibone jurors agreed that their deliberations would be kept secret, the first ballot stood eight to four, the majority for acquittal, the second nine to three and the third ten to two. It remained thus all through the night, but the two holding out for conviction were finally won over.

COMPLETE VINDICATION, SAYS SECY. HAYWOOD

DENVER, Colo., January 4.—William D. Hawwood, secretary of the Western Federation of Miners, arrived in Denver tonight from the northwest. When shown the Associated Press dispatch telling of the acquittal of George A. Pettibone at Boise, he said: "I feel like I had been acquitted again. This is a more complete vindication than that of the previous trial. There was no evidence introduced and no argument was made by the defense. The prosecution was cognizant of every-

thing we had and it had months to strengthen its case.

"It affirms what has always been contended by the federation, that there was a conspiracy afoot engaged in by the mine owners to convict us, and thereby weaken organized labor.

"I am equally jubilant at Pettibone's acquittal as at my own; notwithstanding the reiterated statement of Gooding, it is now safe to presume that we will all leave Idaho alive."

Haywood said that Pettibone would probably go to the coast for his health. The action of the state in dismissing the case against Moyer he said was just what he expected.

GLOBE ATTORNEY WILL DEFEND TWO MEN CHARGED WITH MURDER OF DAGGS AND HUNTER AT SUPERIOR WEDNESDAY

According to a dispatch to the Silver Belt which arrived late last night from Phoenix, George J. Stoneman, a prominent Globe attorney, will defend Bob Stewart and Ed Fondren, who are in jail at Florence, charged with the murder of A. J. Daggs and George Hunter at Superior on New Year's day. A confirmation of this report could not be obtained from Mr. Stoneman owing to the late arrival of the dispatch. Mr. Stoneman expected to leave Wednesday for Phoenix to attend the territorial bar examination, being secretary of the examining board. The following is the telegram which was received at an early hour this morning:

Phoenix, Ariz., January 4.—There were several interesting developments in the Daggs and Hunter murder case today, the principal one being the postponement of the preliminary examination of Bob Stewart and Ed Fondren, the accused men, who are in jail at Florence. No date will be fixed for the hearing until the defendants can ascertain when their attorney, George J.

Stoneman of Globe can be present.

Arrivals here from Superior state that all circumstances connect the accused men with the crime. In addition to the blood-stained note, saying that Stewart had killed him, and which is believed to have been written between the shot that first felled and the return of the murderers from their pursuit of Hunter, the case against them is strengthened by the story of Byron Hoestadt, who was employed at the Daggs camp and who claims to have seen the two men dragging Daggs' body away.

An examination of the body showed that bullets of three sizes were used. It was also brought out today that George Hunter, one of the murdered men, had been living under an assumed name. His right name was George Dittmore. He was a deputy sheriff at Cripple Creek, Colo., during the labor war and at that time was active in the deportation of miners. He had changed his name to avoid conflicts with Western Federation men with whom he might meet in Arizona.

MINE OWNERS CLAIM TO HAVE WON OVER FEDERATION AT GOLDFIELD

GOLDFIELD, Nev., January 4.—It is believed in Goldfield that the strike has been practically won by the mine operators, and that within ten days or two weeks every mine in the district will be in full blast. Several mines started up this morning with miners, formerly affiliated with the Western Federation, but who signed the cards renouncing allegiance. Among the mines were the Mohawk property, Combination, Fraction and several leases on the Atlanta and Florence. The men went to work under the new scale, which reduced wages 20 per cent.

General Manager Mackenzie of the Goldfield Consolidated, to said: "Conditions today are more promising than at any time since the strike began. The Mine Owners association has not wavered one iota from its original program of reducing wages and forcing a separation from the Western Federation.

"Every member of the federation has to sign a card renouncing his allegiance to the union, and the mine owners will remain firm in their stand if it takes two years to accomplish their purpose of breaking the federation in Goldfield and Nevada."

The most hopeful sign of an early



"And all the windows of my heart I open to the day."—Williams in Philadelphia Ledger.

KANSAS CITY BANK WRECKED BY BOMB TEN ARE INJURED

Believed That Bomb Was Exploded in the Basement of First National Bank.

KANSAS CITY, Mo., January 4.—The consensus of expert opinion tonight is that the explosion that occurred in the beautiful marble building of the First National bank this afternoon was caused by dynamite or some other high explosive. A piece of pipe believed to have been part of the bomb was found late today in the wrecked basement. The motive is lacking, but bank officials and the police are inclined to the belief that the explosion was either the work of a crank or that the bomb had been secreted in the basement by would-be robbers for future use and had been touched off prematurely. No arrests have been made and the police are without any definite clue upon which to work.

Joseph Pech, a Hungarian carpenter, one of the ten injured, was taken to a police station this evening and questioned by the police. No charge will be preferred against him. He said that he had no connection with the affair and was soon released. Pech said he was passing the building and was hit by flying glass.

The loss is placed at \$10,000 and is confined almost entirely to the basement.

None of the ten injured were fatally hurt, and the injuries of only two are considered serious. Elbert Ward, a negro porter, was cut and severely bruised. Logan Wilson, a bank clerk, was blown across the basement room and cut seriously. Tonight he gave his opinion that the explosion was caused by dynamite, powder or nitro glycerine or a combination of the three.

Modern Woodman Meeting.

All neighbors are urgently requested to meet at Odd Fellows hall Monday night, January 6. Installation of officers and important business.

Joe V. Prochaska, Clerk.

settlement is the formation of a new union among the miners which is to become a state affair, independent of the Western Federation. The preamble and constitution of the new union was finished today and almost immediately enough signatures were received to give the new organization a foothold with the encouragement given the movement by the Mine Owners.

The Western Federation leaders are said to be much disturbed over the turn affairs have taken.

SLAIN WOMAN'S JEWELRY FOUND HUSBAND WEEPS

Whitmore Gave It to Saloon Keeper for Safekeeping After the Body Was Found.

NEWARK, N. J., January 4.—An important discovery which the police believe will enable them to name the slayer of Mrs. Lena Whitmore, the victim of the swamp murder near Harrison, N. J., whose husband, Theodore Whitmore, is now held in custody pending further investigation of the crime, was made today when all of the jewelry of the dead woman was found on Harry E. Radin, a saloon keeper of Brooklyn. Radin said that Whitmore had given him a box containing the jewelry several days after the body of the woman was found in the Harrison pond. Whitmore had previously told the police that his wife had worn all her jewelry when she left home on Christmas afternoon.

Radin informed the police that Whitmore told him he wanted a safe place to keep the jewels until his wife returned. Whitmore was subjected to a searching examination today. He broke down and cried earlier when told that he would probably be arraigned later. He declined to discuss the case.

KILLED TRYING TO MAKE ARREST

Slayer of Oakland Policeman Then Killed by Barber; Battle in S. P. Depot.

OAKLAND, Cal., January 4.—While attempting to arrest two supposed burglars at the Southern Pacific station this afternoon, Policeman J. J. Fenton was shot and instantly killed. His assailant, who gave his name as F. S. Boyle, was in turn shot with his own gun by J. S. Shield, a barber, who rushed to Fenton's assistance. Boyle died in the hospital.

The second desperado escaped, leaving behind a telescope grip containing \$600 worth of postage stamps, and a letter addressed to Campbell, Santa Clara county. The postoffice at Campbell was burglarized and the safe blown about two weeks ago.

MARTIAL LAW IN MUNCIE INDIANA TROOPS IN CITY

After Three Days' Rioting by Street Car Strikers, City Is Now Quiet.

MUNCIE, Ind., January 4.—With the proclamation from Governor Hanley declaring martial law and state troops camped in the very heart of the city, the citizens of Muncie are tonight quiet and peaceable. The riotous outbreaks of the past three days have given way to normal conditions, so far as violence is concerned, although the city is far from normal in a business and industrial sense. With the arrival of militia before daybreak today, evidence of mob rule passed away. But one arrest was made today in any connection with the strike situation. Late this afternoon Hanley issued the proclamation declaring Muncie under martial law, but the proclamation made little change in the conduct of affairs in the city. The soldiers keep the streets clear of loiterers and will be particularly vigilant along this line after night.

IMMIGRANT SHIP IS LONG OVERDUE

Mount Royal, Carrying 404 People, Left Antwerp Four Weeks Ago for Canada.

ST. JOHN, N. F., January 4.—Although it is four weeks since the Canadian Pacific steamer Mount Royal sailed from Antwerp for this port, with 304 immigrants and a crew of 100, nothing has been heard of her in that time. Officials of the line have not abandoned hope that she is still afloat, but they are extremely anxious nevertheless, and fear the vessel is drifting about at sea in a helpless condition with her machinery disabled. So far as known, few, if any Americans or Canadians sailed on the vessel. The passengers are nearly all Hebrew Russian immigrants, some of whom formerly lived in America.

Billy Howard Is Here.

He will make them all laugh at the Iris tonight. Don't miss it.

WEEKLY REVIEW OF CONDITIONS IN THE DISTRICT

Good Start for the New Year Is Made By the Big Companies Operating Here.

INCREASED OUTPUT BY O. D. FOR DECEMBER

Almost Half Million Pounds Over November Production; Good Developments in the Mines of the District.

The beginning of the new year finds the Globe district in better condition than it has been for several months. The period of curtailment, which really affected only the Old Dominion, was not in any way so pronounced as it has been in other camps, ample evidence of which is given by business conditions in the city, which are now what they were before the full force of the slump in copper was first felt here. The Old Dominion is earning about \$50,000 a month, according to the statement of an official of the company, even at the present price of copper, and the other large employers of labor in the district are companies which are not affected by the metal quotations, being largely development companies. These latter companies have been benefited by the decline in the price of metal, as the lower wage scale which accompanies it, makes their development expenses less, and which enables them to accomplish more work with the same funds.

During the month of December the Old Dominion company produced a little over 3,100,000 pounds of blister copper as against something over 2,700,000 for the preceding month. Four furnaces were in operation during almost the entire month. Of the entire output for the month, 75 per cent was the production from the company's own mine, not including the slag that was resmelted. One furnace, and on some days two, was used for slag from the old dump and during the month 14,000 tons of slag, which yielded an average of three per cent copper, was resmelted. Four furnaces are still in operation at the smelter.

More Miners at Work. Mining and development operations at the Old Dominion are being almost daily enlarged and already since the first of the new year, fifty additional miners have been put to work, a total of about 130 added to the force since the first of December. Many of these have been put to work in C shaft, where sinking has been resumed, the flow of water now being handled through the crosscut draining. The shaft is now 840 feet deep.

Owing to cramped quarters, poor ventilation and the installation of new hoisting equipment, development work has been necessarily slow on the 16th level, and but little exploratory work has been done on the sulphide vein. The drift which is being run westward along the footwall has not been pushed further than twenty feet. At that point the ore is growing noticeably heavier in sulphur contents, which are about 25 per cent. The ore along the footwall does not carry much copper, however. Some of the mine officials believe that the drift will have to be pushed at least 100 feet before the big ore body is discovered. The crosscut from the winze on the 15th level is progressing very slowly, owing to the narrowness of the winze and it will be several months before the 15th and 16th are connected for better ventilation.

Globe Consolidated.

Crosscutting on the 12th level of the Gem shaft of the Globe Consolidated has been begun and the start of lateral work on the Gem property marks an important event in the history of the company. It should not require much time to cut one of the numerous veins in that vicinity and operations from now on at the Gem will be watched with great interest, not only in Globe but in Duluth, the northern copper country and in Boston. Crosscutting is still in progress at the Mallory shaft. After going through eight feet of rich chalcopyrite ore, the crosscut re-entered the diorite and has been in it ever since. The company will soon begin to explore the vein by drifting on it in both directions.

Arizona Commercial.

Good progress has been made both at the new Eureka shaft to further develop the Black Hawk mine and in the Black Hawk shaft itself during the last two weeks. The new shaft is now approximately 125 feet deep. The winze which is being sunk in the ore on the 500 level is now about 40 feet deep and some time 'his week, after ten feet further sinking, the vein will be further explored by crosscutting, and the width of the vein determined. The ore on the hanging wall side is the richest yet found in the Black Hawk, run-

(Continued on Page Six)

AOKI DENIES HE GAVE INTERVIEW ON IMMIGRATION

Did Not Say That Passage of Exclusion Law Would Be Offensive to His Country.

FRISCO CHAMBER OF COMMERCE BANQUET

Former Ambassador on Eve of Departure Says He Will Take Message of Good Will Home With Him.

SAN FRANCISCO, January 3.—Viscount Aoki, the Japanese ambassador who arrived in San Francisco last night enroute to Tokio in an interview with the Associated Press tonight denied the statement attributed to him in an alleged interview last night in which he was quoted as saying "Japan is restricting the emigration of laborers to this country and will continue to do so and it would be regarded as offensive to the dignity of Japan for this country to pass an exclusion law or endeavor to embody the subject in a treaty."

"Such a statement did not emanate from me," emphatically declared the ambassador. "I did not talk with any newspaper man last night nor did I authorize any one to speak for me, much less make such a statement. Furthermore, I have not discussed the immigration question with any one since I left Washington, nor have I anything to add to my farewell statement."

"I am returning to Japan after a long absence to confer with the government upon various matters, and to convey to the emperor the best wishes and expressions of friendship from Roosevelt and, I believe, the American people."

Japan Friendly.

"The attitude of Japan toward this country is of the friendliest character, but the immigration question and other matters of policy between the two countries are for statesmen. Diplomacy cannot be so freely discussed in public." He talked at length upon various topics, but declined to discuss the Vancouver race trouble, the immigration question in general or to comment upon the transfer of the battleship fleet to the Pacific ocean. He laughed heartily when shown a dispatch from Paris which stated that the Japanese fleet had disappeared from its customary cruising ground and was reported to be in the vicinity of Hawaii.

A luncheon was given this afternoon by the trustees of the chamber of commerce at which Aoki, Consul General Chozo Kioke and Vice Consul K. Matsubara were guests of honor. C. H. Bently, president of the chamber, who acted as toastmaster, in introducing Aoki, touched upon the labor riots and anti Japanese feeling and expressed gratitude that the governments of the two countries were composed of men who were not to be deceived by an exhibition of rioting or disorder by the lawless element. He declared that this was not typical of the feeling of the people of San Francisco toward the Japanese, much less that of the American people as a whole.

Debt of Gratitude.

Aoki, in response, said that the debt of gratitude of Japanese towards America is so great that no isolated cases of complaint could ever dissipate it and cited the friendly assurance that the emperor of the Japanese is reported to have sent to Roosevelt, through Taft. "Japan wants peace with America," and he added, "Now and always she will omit no effort to make that desire a reality. I am convinced that America reciprocates this good will and I shall bear that report across the ocean." "Japan and America need each other and that need will grow stronger with years. They have a thousand interests in common and not one rational matter for serious difference. Let me leave you with the assurance that the spirit which has prompted you to extend this delicate courtesy to me as an individual is not misunderstood. The honor you do me is intended primarily for my country and I would not have it otherwise. I shall interpret your action as a message of good will from San Francisco to Japan, as an expression of your desire to be good friends. I will carry the message, assured of its kindly reception at the other end."

LANDLORDS ARE GIVING IN TO STRIKING TENANTS

NEW YORK, January 4.—A settlement affecting 500 families has been made between striking tenants and landlords on the East Side and predictions were made today by leaders of the movement for general rent reductions, that before the end of the week general settlements will be made. Few dispossession notices were issued today because of the Jewish Sabbath. So far over 600 dispossession notices have been issued. The move for lower rents has spread to Newark, where meetings will be held tomorrow.

Billy Howard Is Here.

He will make them all laugh at the Iris tonight. Don't miss it.